

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher Barrett Stone,)	C/A No. 0:21-2015-MGL-PJG
)	
Plaintiff,)	
)	
v.)	ORDER AND
)	REPORT AND RECOMMENDATION
York County, <i>Moss Detention Center</i> ;)	
McCee, <i>Deputy Sheriff</i> ; Gardner, <i>Deputy</i>)	
<i>Sheriff</i> ; Hicks, <i>Supervisor</i> ; Morisson,)	
<i>Supervisor</i> ,)	
)	
Defendants.)	
)	

Plaintiff Christopher Barrett Stone, a self-represented state pretrial detainee, brings this civil rights action pursuant to 42 U.S.C. § 1983. This matter is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.) for initial review pursuant to 28 U.S.C. § 1915 and § 1915A. By order dated July 28, 2021, the court provided Plaintiff the opportunity to file an amended complaint to correct deficiencies identified by the court that would warrant summary dismissal of the Complaint pursuant to § 1915A.¹ (ECF No. 6.) The court explained that Plaintiff failed to state a claim upon which relief can be granted because he failed to allege any facts about the named defendants that would show that they had any involvement in the purported constitutional violations.

Plaintiff failed to file an amended complaint to correct the deficiencies identified in the court's order. Instead, Plaintiff has regularly filed letters wherein he asks for immediate relief for various issues, some of them seemingly unrelated to the issues he raises in his Complaint, despite

¹ Petitioner since filed an application to proceed *in forma pauperis* that is granted. (ECF No. 20.)

the court having issued two orders directing Plaintiff to complete a standard complaint form that was twice mailed to him. (ECF Nos. 5 & 15.) Therefore, Plaintiff's Complaint should be summarily dismissed for the reasons stated in the court's July 28 order.

Accordingly, the court recommends that this action be summarily dismissed without prejudice and without issuance and service of process.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

October 6, 2021
Columbia, South Carolina

*The parties are directed to note the important information in the attached
"Notice of Right to File Objections to Report and Recommendation."*

Notice of Right to File Objections to Report and Recommendation

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Robin L. Blume, Clerk
United States District Court
901 Richland Street
Columbia, South Carolina 29201

Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation. 28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841 (4th Cir. 1985); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984).